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One of the present objections to the Democratic tariff is that it is not, in fact, a tariff for revenue.

The Democratic Senator who, swept away by the turgid torrent of his own eloquence, spoke of "the grand commonwealth of the great State of Indiana" clearly overdid the thing.

Senator-elect Elkins, of West Virginia, doubtless expresses a truth when he says that "the Republican party can make further gains in the South if it shapes its policy so as to encourage rather than inflame the people-of that section."

Those Democrats who reiterated in thunderous tones their undying devotion to the old soldier in the Senate yesterday filled hearers with the suspicion that they were trying to convince themselves and were having an uncommonly tough time of it.

Before the promoters of municipal reform in Chicago begin to probe for police corruption they should ascertain why the force has not been paid for Defamilies to support are materially strengthened in a desire to be honest if they have something to live on.

The proposition of Senator Smith, of New Jersey, one of the Democratic leaders, to create a nonpartisan commission to consider the currency question and report to the next Congress is an admission of the inability of that party to agree upon any measure. This being the case, the proposition for a commission, if it be made a really representative body of business men, is the next best thing that can be done.

The efforts which have been made in recent years to rob Boston of its prestige as the great wool market of the country do not seem to have had much effect. Statistics are published showing that the sales of wool in that city during 1894 were seven times as great as those of New York, and more than the combined sales of New York, Philadelphia, Chicago, St. Louis and San Francisco. Boston does not make as much noise exploiting her commercial enterprise as some other cities do, but it is there just the same. The spirit that has sent merchant ships to the remotest parts of the earth and laid the markets of the world under tribute to add to the wealth of New England's capital is not dead yet.

It is doubtful whether increasing the penalty for carrying concealed weapons would lessen the evil unless the law were more vigorously enforced than it now is. It is not the severity of a penalty that deters from crime so much as its prompt, certain and impartial infliction. The present law against carrying concealed weapons is very feebly enforced even when its violation is discovered, and little or no attempt is made at discovery. However, the evil is a great and serious one, and if there is any probability that it will be lessened by a more severe penalty the experiment should be tried. As the purchase of a pistol is prima facie evidence of intent to violate the law against carrying concealed weapons, why should not their sale be prohibited except under certain restrictions?

The failure of the attempted impeachment of United States Judge Ricks, of Ohio, was predicted from the beginning by those who were acquainted with him and with the origin and motives of the movement. His unsullied character, professional antecedents and judicial record all precluded the idea that he would do anything dishonest, and the fact that his accounts had been passed by the highest accounting officers of the government was sufficient evidence that they contained nothing illegal. Besides, it has been an open secret from the beginning that the movement against Judge Ricks had its origin in the hostility of organized labor on account of certain decisions which he had made, and there was every reason to believe that the charges were of a "trumpedup" kind and intended to be used in driving him off the bench. The vote of | tive of imperialism. General Wallace's the judiciary committee against the resolution of impeachment confirms the views of the Judge's friends and ends the incident. It is the first and it is to be hoped it may be the last time that organized labor will attempt to bring about the impeachment of a judge simply because his construction of the law does not square with its own views.

The bill introduced several days ago by Senator Stuart for the prevention of corrupt practices in elections should receive careful consideration, and, after being perfected in its details, should be passed. The corrupt use of money in elections is so great an evil that everything possible should be done to prevent it. Our present laws on the subject are fairly good, and the opportunities for bribery are not as great as they were before the adoption of the Australlan ballot law, but if the evil can be totally eradicated it should be done.

THE DAILY JOURNAL | The feature of the New York law which s embodied in Senator Stuart's bill, and which limits the expenses of candidates and requires those who are elected to make a sworn statement of their expenses, is said to have worked well in that State, and may be found worthy of adoption. Nobody knows the extent of the corrupt use of money in politics better than those who have been subjected to exorbitant campaign assessments or who have been bled by alleged party workers and vote getters, as doubtless some members of the Legislature have been. Senator Stuart's bill ought to derive strength from this source as well as from an honest desire to purify elections.

CHANGES IN THE SENATE.

With the exception of Delaware and

Washington the legislatures electing United States Senators have made selections. In Delaware Senator Higgins received the caucus nomination and should have been elected. In Washington the Republican caucus had not made a nomination when the balloting in the Legislature began. In these two States Republicans will eventually be elected. The Republicans who succeed Republicans are: Gear, of Iowa, who succeeds Wilson; Burrows, of Michigan, 'who succeeds Patton; Mantle, of Montana, who succeeds Power; Thurston, of Nebraska, who succeeds Manderson; Whetmore, of Rhode Island, who succeeds Dixon; Warren, of Wyoming, who succeeds Carey, and Nelson succeeds Washburn in Minnesota. The Republicans who succeed Democrats are: Sewell, of New Jersey, who succeeds McPherson; Elkins, of West Virginia, who succeeds Camden: Pritchard, of North Carolina, who succeeds Jarvis; Baker, of Kansas. who succeeds Martin, and Carter, of Montana, and Clark, of Wyoming. Republicans, have been elected to fill vacancies which the Senate decided months ago that the Governors of those States had no authority to fill. The five new Democratic Senators are: Tillman, of South Carolina, who succeeds Butler; Chilton, of Texas, who succeeds Coke; Martin, of Virginia, who succeeds Hunton; Bacon, of Georgia, who succeeds Walsh, and Walthall, of Mississippi, who succeeds McLaurin. The new Populist Senator is Butler, of North Carolina, who succeeds Ransom, Democrat. In the following States the present Republican Senators have been made their own successors: Perkins in California, Shoup in Idaho, Culiom in Illinois, Frye in Maine, Hoar in Massachusetts, Chandler in New Hampshire, Dolph in Oregon and Pettigrew in South Dakota. The Democrats who succeed themselves are: Morgan in Alabama, Berry in

Arkansas and Harris in Tennessee. thirty-six Republicans, forty-four Democrats and five Populists, and there were three vacancies. The Senate after March 4, 1895, will be made up of fortythree Republicans, thirty-nine Democrats and six Populists. The Republican gains have been made in New Jersey, West Virginia, North Carolina and Kansas, and the three vacancies in Montana, Washington and Wyoming.

With forty-three votes, the Republicans will lack two of a majority of a full Senate of eighty-eight members. It has been reported that the Populists would be pleased to join the Republicans in reorganizing the Senate if they can be liberally recognized in the division of the patronage, but the Republicans who have expressed themselves are decidedly opposed to any such proposition. It may be added that such Republicans are right.

THE JINGOISM OF LINCOLN. The new generation of namby-pambys in this country is now prattling its disapproval of the Congressmen who have been assailing the Cleveland policy toward Hawaii. It arraigns these public men as "jingoes" and the policy which they advocate as "jingoism," and jingoism is the word applied by one class of Englishmen who are out of power to the characteristic British Interference with and domination over the affairs of other nations by Englishmen

In his quiet manner Abraham Lincoln was very much of a jingo. When he was President he had domestic cares such as never came to the head of a great nation, yet with all these he had time to be an American with reference to other nations. For instance, in 1863, when the representative of the United States at Honolulu reported that British intrigue was rife in Hawaii, Secretary Seward acknowledged the receipt of the American minister's dispatch, saying:

The subject of which it treats, viz., the policy of Great Britain in the Sandwich Islands—the efforts made by its officials there to shape and control the future deswhich you indicate, with the view of counteracting these influences, are all deemed of much importance, and they will receive the consideration to which they are justly

The above was written by direction of Abraham Lincoln by one of the greatest of men who have held the office of Secretary of State, William H. Seward, January, 1864, when one would imagine that the Lincoln administration had no time to devote to anything but the re-

bellion. Nor is this the only illustration of the jingoism of Abraham Lincoln. Early in 1865, when no one except Lincoln and Grant knew that the rebellion was so near collapse, Lincoln sent General Lew Wallace to the Texas border in order to communicate with the authorities of the republic of Mexico, who had been driven from their capital by the proclaimed Emperor Maxmilian, the tool of Napoleon III, with a view to furnishing them arms and ammunition to fight the foreign invader and the representamission was successful, and before the collapse of the rebellion the friends of the republic had collected armies for which the United States had furnished arms and ammunition, thus saving the life of an American republic when it was feebly flickering. Before his assassination Abraham Lincoln had decided to assist the sister republic with United States troops, so that when the rebellion ended an army was soon upon the Mexican border for that purpose if assistance were necessary to drive out | bill yesterday Mr. Shiveley, in urging the usurper. Such assistance was unnecessary, because the earlier jingoism of Lincoln had not only enabled the President of Mexico to arm his followers, but it had inspired the friends of | the apartments and paying for the servthe republic with the courage which ice and equipage of the officers who nothing but confidence in the assistance

Doubtless Abraham Lincoln was the chief of American lingues; and if he

of the Lincoln government could give.

acted in 1864-65 how the namby-pambys, poor things, would chatter their detestation of him!

THE MEXICAN-GUATEMALAN DIS-

Although a war between Mexico and Guatemala would not necessarily affect American interests it would be somewhat nearer home than any war of recent years and therefore more interesting. If it occurs, as seems now almost certain, it will be due to that prolific cause of war, a boundary dispute. It is curious to observe how the covetousness and greed of the average man repeat themselves in nations in the form of efforts to extend their territorial domain. The average man is a land grabber, and most wars originate in a desire for the acquisition of territory. Boundary disputes are a convenient pretext and prolific cause of such wars. In recent years there have been such disputes between Russia and Great Britain, between Turkey and Greece, between Roumania and Bulgaria, between Roumania and Austria-Hungary. and a score or more between different States of South America. Many of these have resulted in war and all in strained relations that made the avoidance of war very difficult.

The boundary dispute between Mexico and Guatemala is of long standing. In 1878 a treaty was signed between the two countries for the appointment of a commission of twelve engineers, six to be named by each government, who were to fix the boundary line between the two countries. The surveys by this commission dragged along several years and the dispute continued. In 1881 Guatemala applied for the friendly intervention of the United States, but Mexico refused arbitration or even discussion of the question, asserting her right to the disputed territory by option of the inhabitants themselves and an undisturbed possession of fifty years. A year later it was announced that the vexed question had been settled to the mutual satisfaction of both countries. The details of the settlement were given and both governments agreed to incorporate them in a treaty. But the settlement did not last, and now the dispute is hotter than ever. A short time ago Mexico sent Guatemala a demand the reply to which is expected in the City of Mexico to-day or to-morrow. If the demand is not acceded to it is probable Mexico will send an ultimatum which will almost certainly lead to war. After a stormy Cabinet meeting held in the City of Mexico on Monday night President Diaz notified the Guatemalan minister that he would not concede an iota of his previous demand, and that Guatemala would have to yield or suffer the consequences. President Diaz denies that Mexico wants more territory. and declares that all she wants is her ting it. As between Mexico and Guatemala, war could only end in a speedy victory for the former, but if, as is hinted, the other Central American States are behind Guatemala and should make common cause with her it might lead to the most obstinate struggle that has occurred in Central America for many years.

A DISCREDITABLE CONTRAST. Americans visiting England for the first time all agree that nothing there impresses them more than the apparent solidity and durability of the buildings, roads, streets, bridges and public works of all kinds. Everything seems to have been done on the theory that whatever is worth doing at all is worth doing well, and evidences of honest workmanship are seen on every hand. Bridges, culverts and sewers seem to have been built with an eye to posterity. Street pavements look as if they would never need repairing, and if, for any purpose, they are ever torn up or cut into they are placed in fully as good condition as before. The intelligent Englishman who visits this country can scarcely receive a like impression. Indeed, the reason that an American receives it in England is largely because he has been accustomed to a different order of things at home. The visiting Englishman would find that in this country utility is very often sacrificed to appearances and durability to rapidity of construction. Wherever he went he would hear complaints of dishonest contractors, incompetent artisans, bad materials, faulty construction, slipshod methods and dishonest workmanship. He would be greatly mistaken if he concluded that there were no honest contractors or workmen in the country, but he would find abundant evidence that the other class were too numerous, and he would be forced to conclude that they had special facilities for getting contracts for public works and deceiving the public officials who have charge of such works. If he stayed long enough in a typical growing Western city to get an inside view of things he would find that the people were paying for asphalt street pavements, smooth and fair to view when new, but radically defective in their foundation, which is the pavement, and destined soon to get out of repair; for beautiful cement sidewalks scarcely half as thick as the specifications called for and laid on bad foundation of defective material; for sewers which, instead of being built for posterity, would, with the aid of frequent repairs, scarcely last a generation, and for catch basins which were a sham and fraud from the beginning. He would discover so much of this sort of thing that, if disposed to generalize hastily, he would be justified in concluding that incompetence and dishonesty are national characteristics. The conclusion would be at least so far true that Americans should recognize the fact that slack and dishonest workmanship under public contracts is an evil that calls loudly for reform. It is not confined to any city, any party or any administration. It has eaten into our public life and social system until, in connection with incompetence and favoritism of one kind or another, it has become a costly and threatening evil, a burden to taxpayers and a disgrace to the national

In the debate on the soldiers' home that one or two sections be redrawn, took occasion to sharply criticise the extravagance which has been the custom in Indiana institutions in fitting up have charge of them. He desired that this bill providing for a new institution should be so carefully drawn that such extravagance as is an abuse in so many were alive now and should speak as he | State institutions cannot creep in. The

point is well taken, and if something could be done to put a stop to the evil in institutions already existing it would be one of the best acts of the Legislature. If the committees who visit institutions on days announced and who may think of hearing complaints of discharged men and convicts would take note of the expenditures in behalf of the officials beyond their salaries, and if they would consult the vouchers in the State Auditor's office for a term of years and ascertain how large a part of their totals are for luxuries not essential either to the well-being of the inmates or the comfort of the officials and report the same to the Legislature they would render the State a valuable

A bill has been introduced in the Missouri Legislature to retire on a pension men who have taught thirty years in the public schools and women who have taught twenty-five years. The pension fund is to be created and maintained by the voluntary contribution by every public school teacher of 1 per cent. of his or her salary for that purpose, and those who are entitled to the benefits of the fund are only to be retired on their own application. The motive of the bill, viz., to provide for the support of aged and broken down teachers, is an eminently good one, and as the operation of the bill is in all respects voluntary it does not seem to be open to the charge of paternalism.

The Journal does not agree with the correspondent in yesterday's issue who criticises the action of the ladies of the Kindergarten Association for disposing by lot of a couple of vases for which they could find no purchaser at anything like a fair value in any other way. There was no offense committed, either in law or morals. The money thus obtained and disposed of by these charitable ladies, who give time and effort for the relief of the poor and deserving, will do just as much good as though contributed by the critical correspondent, and probably if the ladles had accepted only donations from highly severe moralists the poor who will obtain the relief from this noble charity would go cold and hungry. "Charity suffereth long and is kind; charity envieth not, charity vaunteth not itself, is not puffed up."

BUBBLES IN THE AIR.

Nemesis. "I am the absconding cashier of the Bustup Bank," said the sad-eyed man who walked into the police station, "and I want to give myself up."

"Very well," said the police sergeant, "have you any one in this city who can identify you." Innocent Old Man.

"Here, old man," complained the cashier at the restaurant, "you are a quarter shy." "A quarter what?" asked Uncle Reuben. "A quarter short. Your check is 65 cents. and you have only given me 40."

"Oh, that there is all right. The waiter said it was the custom to give him a quarter for what he called a tip." Trilby.

She sat before the open grate, musing. The gas log, with its ever burning blue blaze that cooled not, yet consumed not, gave a very fair idea of the fate of sinners who were so unlucky as to die before a certain winter resort was closed.

"He said I reminded him of Trilby." she murmured, looking coyly at her own foot. A twinge of pain reminded her of the existence of her largest corn. An anguished expression shot across her face, to be followed (as, in fact, it was), by one of ghastly doubt.

"Could he have been alluding to my voice?" she asked herself. It is well for us to leave her alone with her bitter thoughts.

THE INDIANA PRESS.

One J. K. Workman, who signs himself "secretary," has made a great ass of himself, and has done the cause of the association which he claims to represent more harm than all other influences combined His conduct will serve to prejudice the people against the county officers by furnishing evidence of that which has only been a suspicion.-Frankfort News.

One of the measures introduced, but which will be garroted in committee, requires railroad companies to stop all passenger trains at all stations long enough to allow passengers to get aboard and disembark. Such a bill is ridiculous and would destroy the fast train service through this so necessary to the business interests.-Wabash Plain Dealer.

The bill of Senator Schneck, introduced the other day, for the establishment of five new penitentiaries to be used for the incarceration of young convicts, so as to keep them away from the influence of seasoned toughs, is not looked upon with much fa-It is generally regarded as a move to make more jobs for some more people and is not likely to amount to much.—La-

The annual appropriation for the Indiana department of geology, up to two years ago, was \$5,700, a sum in itself insufficient to carry on the work. The legislators of that date, in the wisdom of their minds, saw fit to reduce it to \$2,500, an amount hardly sufficient to pay the running expenses of the office and museum, let alone doing any work in the field. In justice to the importance of this department a larger appropriaought to be given it.-South Bend

What the Republicans complained of as disfranchisement by the Democratic law was not merely manipulation of political majorities, but flagrant disfranchisement by unequal representation in actual numbers, giving one county double representation over another of equal or greater population. A good illustration of the gross unfairness of the Democratic gerrymander is tatives for Tipton and Hamilton counties The latter has a voting population of over six thousand and is given one Representasix thousand and is given one Representa-tive only. Tipton county has only two-thirds the population of Hamilton, but she has one Representative alone, a joint Rep-resentative with Clinton, and a joint Rep-resentative with Clinton and Madison,—No-blesville Ledger.

Representative Loring's bill before the Legislature for the purchase of toll roads provides the commission of three men-one appointed by the judge of the Circuit Court, one by the commissioners' court and one by the owners of the road-who shall agree upon the price that the taxpayers of the entire county shall pay. There may be some objections to the price of a road or roads being paid out of the county treasury, but it is as reasonable and right as for the county to pay for an expensive bridge situated in some obscure locality. The toll roads of Fulton county were a blessing to the people wi en there seemed to be no other means of procuring passable thoroughfares, but to-day they are a financial burden and a hindrance to the commercial interests of Rochester.-Roches-

In the fixing of fees and salaries for pub-He officials it looks as if there was a disposition on the part of the officeholders to demand too much, and a purpose of some of the leaders in the Legislature to concede not enough. In the progress of events and in the course of deliberate and unprejudiced consideration there is hope for agreement on a happy medium that will operate to provide a competent service without any show of extravagance. Some of the fee and salary measures proposed reduce the compensation of county officers to an extent that is nothing short of absurd. If any of these specified bills should be enacted into law complications would ensue that would prove embarrassing, if not indeed disastrous. Public policy de-mands men for public office of proved ability. It is pernicious argument that tries to create the popular impression that an official charged with extractionary responsibilities should receive no more compensation than an ordinary wage earner in everyday pursuits. An era of cheap salaries

will result in an era of cheap man, and in the long run the people will be made to pay dearly for complications and losses growing out of an incompetent administration.—Lafayette Courier.

Taking everything into consideration, it cers is just what is needed. A great many innocent men, who could easily and quickly make fortunes in other lines of business, have been ruthlessly driven into our courthouses to perish of overexertion and underpay. In spite of an organization for mutual protection, and an assessment of 1 purposes, a hard-hearted Legislature seems disposed to continue this class of unforshould be so arranged that hereafter the public will have no right to push a fellow-citizen into public office in spite of clamorous protests on the part of the victim. Steps should be taken, however, to assist the unfortunates who in pinety-two columns. the unfortunates who, in ninety-two counties, are dragging out a precarious exist-ence and attempting to raise sufficient ence and attempting to raise sufficient funds to meet the assessments laid by the County Officers' Association.-Terre

Chairman Thayer of the Senate committee on prison, is giving much thought to the question of an intermediate prison for Indiana. He is a great humanitarian and believes that many young men could be saved a life of crime if such an institution were provided. It is probable that members of the committee will, during the present session, visit New York's intermediate prison at Elmira. This is the only prison of the kind in the United States, and experience has proved it to be a valuable institution. Young men from eighteen to twenty-five years of age who are found guilty of first offenses are committed there and are saved a part of the disgrace which a term in the penitentiary would involve It is a step between reform school and the penitentiary. Boys who are too old to go to the reform school and too young for the penitentiary make up its inmates, as well as young men who have not become hardened criminals. Here they escape the influence which would surround them were they cast in among hardened criminals. -Michigan City News,

To many it appears that Madison county is treated unfairly by not being given a State Senator. This is true taking the vote of the last election as a basis. But, in accordance to the rule laid down by custom and in conformity with the Constitution, the basis is to be taken from a vote of nearly five years ago. (A census of voters being taken for legislative apportionment every six years.) According to Senator Wishard he is correct, and legally so, but at the same time Madison county is not receiving her just representation. But we see no way to remedy it until the next apportionment is made or next census of voters is taken. The rapid growth of Madison county is unprecedented in the history of the State. From 1880 to 1890 a gain of 135 per cent. in population was made and since the latter date even a greater per cent. of gain has been thrust upon us. In the case of Madison county being entitled to a Senator and not getting it, we view the matter as a state of circumstances and no fault of any one in particular.

—Elwood Call-Leader.

Serious Error on Solomon's Part. To the Editor of the Indianapolis Journal: The News is about the only hope of Indiana reformers these days, or, at least, they are writing the old girl a great many cards, which lead her to believe that her 'courageous, consistent course" on the liquor question proves her to be the fairest among ten thousand and altogether lovely. The "able editorial" in Monday's issue, which says "The News is not opposed to local option only---," is not in it with the "able editorial" in Tuesday's issue, which says: "In other words, we do not believe that for every one it is morally wrong to drink alcoholic beverages." This shows clearly what an ass Solomon was, and implicates other parties if he was not the originator of the words "Wine is a mocker and strong drink is raging, and whosoever is deceived thereby is not wise," the proper exception being entirely omitted. Indianapolis, Jan. 23.

SNOW IN THE MOUNTAINS. Efforts of Rotary Plows and Shovelers

to Clear Railway Tracks. SACRAMENTO, Cal., Jan. 23 .- The heaviest snowstorm that has prevailed this winter is now raging in the mountains between Shady Run and Emigrant Gap. Drift after drift is piling upon the railroad track and the plows are puffing and blowing with might and main in order to clear away for the Eastern mail, which is slowly and cautiously threading its way over the mountains. No sooner is one drift tossed aside by the powerful rotary plows than another forms. Sometimes the snow lifted by the force of the gale is carried over the embankments and forms immense drifts between the laboring plow and the struggling train. Then the plow must fight its way through the snow to where it can turn and then fight its way back again to rescue the train from the increasing drifts. Hundreds of shovelers are at work tossing away the banks of snow that threaten at any moment to fall upon the trains. These men work in day and night shifts, struggling hard to overcome the damage wrought by the storm, but it is now falling and drifting faster by far than they can handle it. Added to the blinding volume f snow, so that a lantern stuck in the bank cannot be seen a dozen feet, is the wind. Never before has it blown more flercely, and as the bitter winds sweep down through where the men are working, sending the stinging snow into their faces they are compelled to pause to get breath and turn their backs to the biting blast. There are three nundred of these men and they sleep and eat in a railroad outfit train which remains as close to them as side tracks will permit Although the storm is general from Colfax to Truckee, its center is between Blue Canon and Emigrant Gap; the mountains which rise almost perpendicular on the norm side of the tracks are covered with fir trees, some of which, sixty feet high, barely show their tips protruding through the snow, so great is the depth. These mountains in places rise precipituously from the road and the immense bouy of snow covering them is in constant danger of sliding. If

once starts nothing can check its

fall and a fatality similar to that which happened on the Shasta division yesterday

omentarily expected on the roads east

Tracks Buried by an Avalanche. SAN FRANCISCO, Jan. 23.-There is a complete blockade of the California & Oregon railroad at Upper Soda Springs, Cal., above Dunsmuir. The great avalanche of rocks and trees, which came down at that point on Monday was supplemented by another big slide yesterday, and Superintendent Fillmore says it will take forty-eight hours at least, and posisbly a longer period, to get the Shasta route cleared. No passenger train was sent north last night. In its place a force of two hundred additional men was dispatched from Oakland to aid the four hundred or more already on the scene of the avalanche. They took with them two of the largest hydraulic pumps of the Monarch pattern, which will be placed at work at once on arrival. The Sacramento river goes rushing past close to the track at the location of the blockade and its waters will be utilized by the great rams to cut away the immense mass of earth and rocks there. The slide of Monday extended a distance of one thousand feet and the mass of debris is piled same time the Sacramento was dammed up by the falling mass to a depth of sixty feet. It was a herculean work for the feet. It was a herculean work for the force to clear away the mountain of obstruction. They set about it with a will, however, and kept up their efforts until noon yesterday, when another immense quantity of earth and debris came down on the rails from the hills four hundred feet above and obliterated all the work that had been done. Fortunately the men were at dinner at the time or death would probably have been their fate. As it was probably have been their fate. As it was the situation was considered so desperate that a report of the condition of affairs was telegraphed to Superintendent Fillmore with a pressing demand for aid. The result was that more men were ordered to the scene. The company is apprehensive cother slides and the situation is critical.

Folk Lore Congress. MEMPHIS, Tenn., Jan. 23.—Mrs. Helen Barrett, of Chicago, to-day, read a paper before the International Folk Lore Con-gress, written by Countess Evylin Martinesco Caeseresco, of Italy, reviewing the lessons taught by ancient stones and pli-lars. Dr. Sellm H. Peabody, of Chicago, delivered his lecture on the Swastika. Other papers were read by Miss Will Allen Dromgoole, of East Tennessee, Mrs. Vir-ginia Frazier Boyle, Mrs. Watson and Walter Malone, of Memphis.

INJUNCTION REFUSED

is apparent that a home for county offi- INCOME TAX LAW TESTERS BEATEN IN THE EQUITY COURT.

> Petition of John G. Moore for a Mandamus Against Commissioner Miller to Prevent Collection Overraled.

TURPIE IN HIS BEST ROLE

NICARAGUAN CANAL SCHEME SCORED BY THE INVECTIVE HURLER.

Senator Morgan Also Criticised-Failure of the Paris Agreement to Protect Senls-Mr. Dingley's Bill.

WASHINGTON, Jan. 23.-The petition of John G. Moore for mandamus against Commissioner of Internal Revenue Miller to prevent the collection of the income tax was overruled this morning by Judge Hagner in the District Equity Court. The case will now be taken on appeal to the United State Supreme Court in order to test the constitutionality of the income tax law. Judge Hagner declared at the outset that the objections that the tax is unwise and restricts thrift and industry; that its operation must necessarily be inquisitorial, etc., were not under the jurisdiction of the court. The alleged duplication of the tax could not be claimed to be possible, except as to dividends declared during the calendar year 1894, and it was presumed that the treasury officials would enforce the provision in such a way as to prevent a harsh construction of the law, and that an arrangement by the corporations to pay the tax before July, 1895, would be accepted as relieving the share holders. Vexatious as duplication may be, it is not possible practically to avoid it. That some property holders are fortunate enough to have possessions exceeding in value the excepted amount is no ground for invalidating the law under which the taxes are

levied. The court then discussed the constitutionality of the point raised by the complainant that allens residing in the United States, whether permanently or temporarily. are subjected to its provisions. The provision was not new in income laws, and authorities were quoted to show that it was clear that alien residents of a coun-try may be rightfully subjected to the taxation to which its own citizens are sub-

On the next point raised, the court said From a thorough examination of the act the court is of the opinion that exemption of the incomes of such corporations as are created, owned and operated by the sev-eral States as instrumentalities and agencies the government of such States is effectively made in the act since no such corporations can be included in the description of those required to make returns of income. The statute does not, in words or corporations and Congress, having no power to tax them, it is to be presumed that Congress did not intend to include them. The objection that the tax is to be levied on an income received prior to the time the law went into effect is dis-missed and the court says no authority was quoted in support of the contention and the court has been unable to discover any if they exist."
As to the allegation that no adequate

remedy exists by which to recover taxes if paid to the collector, the court declares that such a remedy does in fact exist, even though there be no special statute under which to proceed. Instances are cited illegally collected. The contention of the defendants that the courts are with out authority to grant injunctions in cases of such character is sustained. A was therefore issued dismissing the bill with costs.

VITUPERATIVE TURPIE.

The Senator Hurls Invectives at Morgan and the Canal Bill. WASHINGTON, Jan. 23 .- The treasury emergency was the main theme before the Senate to-day and, for the time being, the Hawaiian question was laid aside, Mr. Turple concluded his speech against the Nicaragua canal bill, becoming bitterly personal at the close against Mr. Morgan, author of the bill and against the measure itself as the consummation of Cheap John, Peter Funk legislation. During the day, Mr. Burrows, of Michigan, made his first appearance in the Senate since the Michigan Legislature promoted him to the upper branch of Congress. The credentials of Mr. Mc-Millan, of Michigan, for the term beginning March 4 next, and of Mr. Burrows, who succeeds to the unexpired term of the late Senator Stockbridge was presented at the opening of the session.

Mr. Palmer's resolution in reference to bounty payments to Missouri militia was

passed. A new and practical turn to the Hawaiian subject was given by Mr. Hale, who introduced an amendment to the diplomatic and consular bill providing \$500,000 for the vey of a cable route connecting the Hawallan islands and the United States. The Smith and Jones financial measures

were then introduced. Mr. Burrows, acco of his old associates of the House, came in at this point and, on motion of his col-league, Mr. McMillan, Mr. Burrows was sworn in as Senator from Michigan. Mr. George stated that he had expected address further the Senate on the Hawallan question, but would present his remarks at a later day

The Nicaragua canal bill was then taken

up and Mr. Turpie resumed his speech against the measure. Mr. Turple's remarks became very personal at one point and he arraigned Mr. Morgan, who is in charge of the bill, and is chairman of the comp on foreign relations. Mr. Turple declared that he had long cherished the illusion that this chairmanship was of the loftiest character, and that it was untouched and unde-filed by modern delusions and commonplace aspirations. But this illusion was dis pelled, and this lofty chairmanship had disappeared like a will o' the wisp in the mires of the San Juan. Mr. Turple pro-ceeded to urge that the proposed mortgage to be given the company was diaphanous and a mere pretense. The Senator spoke of the canal company stock as watered and that this whole project combination of "fraud and water. Turple heaped invectives on the "bubble" mortgage and "snide" partnership with the government which, he said, was involved in the canal project. There was an apostle surnamed Peter, who had been canonized But this Nicaragua scheme, he declared was an attempt to canonize a new Saint Peter—"the Peter Funk of legislation." It was the glorification of the Cheap Johns of congressional work. At the close of Mr. Turple's remarks the Senate went into executive session and then, at 4 o'clock, ad Senator Quay to-day offered an amendment to the Nicaragua canal bill providing that its provisions shall not take effect United States shall secure until the treaty the right to fortify garrisons at the ends of the canal, both on the Atlantic and Pacific oceans, to maintain armed ves-sels on the lake of Nicaragua and to move military forces through Nicaragua and Costa Rica.

ITS WORK A FAILURE. The Paris Tribunal Afforded No Real

Protection for Seals. WASHINGTON, Jan. 23.-Mr. Dingley called the attention of the House to-day to what he termed the utter failure of the Paris tribunal's regulations for the protection of the Alaskan seal herd and to the probability of the complete extinction of the herd unless steps were immediately taken to secure a co-operation of Great Britain for the protection of the seals. The remainder of the day was devoted to consideration of the sundry civil appropriation bill. Rapid progress was made. Fifty-five pages of the 195 in the bill were disposed

After the opening exercises Secretary Carlisle's reply to Mr. Dingley's resolution calling for information relative to effects

of without amendment before adjourn-

of the inauguration of the Bering sea reg-ulations decided on by the Paris tribunal was laid before the House. It drew from Mr. Dingley a statement as to the sealeries situation. He declared that Secretary Car-lisle's response showed that the Paris reg-ulations had been a flat failure. Although the government lessees were allowed to take 25,000 male seals from the islands, they had not been able to find 16,000, while the Canadian pelagic sealers had taken 60,000, mostly females. In view of these facts, said Mr. Dingley, Secretary Carlisle concluded that within three years, five at the most, if the destruction went on, the Alaskan seal herd would be exterminated. The kan seal herd would be exterminated. The treasury would lose a vast sum of money and the world would be deprived of an article of luxury and comfort. Mr. Dingley insisted that Great Britain should immediately and compared to the compared diately be made acquainted with the facts, as she was vitally interested. Over 50,000 Englishmen were employed in pressing, dyelng and manufacturing seal goods, and she should be asked to unite for the protection of the herd. Congress should take action before adjournment, as the pelagio sealers were to sail on the voyage of extermination March 1, and 450,000 seals, valued at \$10,000,000, would be at their mercy. When the facts were presented to Great the facts were presented to Great Britain Mr. Dingley thought she would be moved to action. Mr. Reed asked if it was not true that

the United States government was spending a large sum of money to enable Canadian sealers to do their work more effectively, and Mr. Dingley replied that it was, Mr. Dingley presented a bill, which was referred to the committee on ways and means. Mr. McMillin, from the ways and means

committee, reported a resolution, which was agreed to, calling on the Secretary of the Treasury for the cost to the United States of supporting the "kingly government" of Samoa.

The House then went into committee of the whole and took up the sundry civil appropriation bill. Mr. Sayers, who was in charge of the bill, explained its provisions and new features. It carried \$38,540,721, \$7,-843,093 less than the estimates, and \$4,286,945 more than the bill for the current year. Mr. Pickler took the first opportunity af-forded to pay a tribute to Charles L. Carter, whom he described as the Hawalian patriot who fell fighting for the republic. Mr. Pickler was applauded on both sides of of the Democrats being, however, of an ironical nature. After discussing the bill for about four

hours the committee arose. The resignation of Mr. Burrows, the new Senator from Michigan, to take effect to-day, was laid before the House, and then, at 4:45 p. The bill introduced by Mr. Dingley to-day repeals the act of July 1, 1879, for the protection of fur seals in Alaska. It au-thorizes and directs the Secretary of the

Treasury to take with all possible expedition each and every fur seal found on the Priblyoff islands, the skins to be sold to the best advantage and the proceeds to be covered into the treasury. It provides that the President may by proclamation sus-pend the execution of said act in case Great Britain shall have determined to co-operate with the United States in such measures as in the judgment of the Presi-dent will prevent the extermination of the Alaska seal herds, and appropriates the necessary sum to carry the act into ef-

Secretary Carlisle in his report to the House submitted to-day says that the number of seals taken by pelagic sealers in the northern Pacific ocean for the season just expired and entered at United States and British ports aggregated 121,143-55,886 of which were taken from the so-called Alaska herd and 58,621 from the coasts of Japan and China and 6,836 undetermined. The actual number killed exceeds the amount entered by about 20,000, making the total catch about 142,000.

With reference to the present condition With reference to the present condition of the seal herds of the Pribylon islands

the Secretary reports a dangerous decrease and that the condition of the herd is most critical. All facts point to its speady extermination unless the regulations are changed to afford great protection to the

The Smithsonian Institution. WASHINGTON, Jan. 23 .- The annual meeting of the board of regents of the Smithsonian Institution took place at that insitution to-day. The report of the executive committee shows that the permanent fund deposited in the United States Treasury is now \$911,000 in addition to \$42,000 derived from the Hodgkins bequest, otherwise invested. In the report of the secretary for the year ending June 30, 1894, reference was made to the progress made by the national museum during the year. The period of competition for the prizes of \$10,000, \$2,000 and \$1,000 provided for in connection with the Hodgkins fund, intended to illicit dis-coveries in regard to the nature and pro-

coveries in regard to the nature and properties of atmospheric air in connection with the welfare of man, has closed and a committee of award is now examining the pa-Mrs. Helm's Friends at Work. WASHINGTON, Jan. 23 .- Friends of Mrs. Benjamin Hardin Helm are making earnest efforts to prevent the confirmation of Mr. Joplin, who was appointed to succeed her as postmaster at Elizabethtown, Ky. Mrs. Helm was a younger sister of Mrs. Abraham Lincoln, and is the widow of General Helm, who fell at Atlanta while leading a part of the confederate forces. Her husband's friends are urging Senator Blackburn to use his influence to prevent confirmation at this session. Mrs. Helm will continue in office until her successor is commissioned, and her friends intend, if the Senate fails to act, to bes

President not to again appoint Mr. Joplin, but to leave Mrs. Helm undisturbed. \$100,000 for Pearl Harbor. WASHINGTON, Jan. 23 .- Senate committee on foreign relations to-day authorized a favorable report on Senator Morgan's amendment to the naval appropriation bill, making an appropriation of \$100,000 for dredging the Pearl harbor (Hawaii) bar. There was also informal discussion of the project for the amendment of our treaty with Hawaii so as to permit the landing of a cable to be built by a British company on one of the Hawaiian islands, but the matter did not appear to commend itself any of the members of the commit-

self any of the me

Nominations by the President. WASHINGTON, Jan. 23.-President Cleveland to-day sent to the Senate the following nominations: J. Eugene Jarnigan, of South Carolina, to be consul of the United States at Ruatan, Honduras; Lieutenant Colonel James S. Casey, First infantry, to be colonel major; John H. Patterson, Third infantry, to be lieutenant colonel; Captain F. M. Crandall, Twenty-fourth infantry, to be major; First Lieutenant A. A. Augur, Twenty-fourth infantry, to be captain; Second Lieutenant F. D. Evans, Eighteenth infantry, to be first lieutenant.

infantry, to be first lieutenant Gold Reserve Down to 866,795,006. WASHINGTON, Jan. 23 .- Advices from Assistant United States Treasurer Jordan, at New York, states that the total withdrawals of gold from the subtreasury today were \$1,700,000, which leaves the true amount of the gold reserve at the close of business to-day \$66,795,006, or about \$3.-000,006 less than on the date of the announcement of the last bond issue. On the date of the announcement of the

the gold reserve had reached \$61,951,862. \$2,700,000 for Indianapolis. WASHINGTON, Jan. 33 .- The Secretary of the Interior has issued a requisition on the Secretary of the Treasury for \$12,575,000 for the quarterly payment of pensions at six agencies, as follows: Topeka, Kan., \$3,-600,000; Indianapolis, \$2,700,000; Philadelphia, \$1,982,000; Knoxville, Tenn., \$1,800,000; New York city, \$1,650,000; Louisville, \$1,000,000.

General Notes. WASHINGTON, Jan. 23 .- To-day's statement of the condition of the treasury shows: Available cash balance, \$150,992,386; gold re-

serve, \$70,120,006. Secretary Gresham to-day submitted to Congress an estimate for an appropriation of \$6,000 for the execution of the obligations of the United States and the protec-

tion of its interests and property in the Samoan islands. The House committee on election of President and Vice President to-day agreed to report a joint resolution amending the Constitution so as to provide that the President shall be eligible to service but one term. There was one dissenting vote.

United States Consul O'Neil, at Stockholm, Sweden, reports to the State Department that a bill was passed by the Swedish government on the 7th inst, raising the duty on grain and flour to the following rates: Grains, all kinds, per 220 pounds, 84 cents; malt, \$1.70; flour, \$1.74.

Representative Hitt, of Illimbis, to-day introduced a bill providing for the appointment of a passport agent in each sea port of the United States where it may be deemed necessary, who shall issue passports to citizens of the United States.

H. Clay Evans, the Republican claimant for the governorship of Tennessee, was at the Capitol to-day. He met many Republican congressmen and had a long talk with Representative Reed. Mr. Evans said that he has no doubt the Legislature will count him out. United States Consul O'Neil, at Stock-